

JOANN LELECK ELEMENTARY SCHOOL AT BROAD ACRES, MANDATORY REFERRAL NO. MR2024007 & FINAL FOREST CONSERVATION PLAN NO. F20240370

Description

Mandatory Referral review for the replacement of the existing Joann Leleck Elementary School with a new school building and associated site features.

No. MR 2024007

Completed: March 11, 2024

MCPB

Item No.7

March 21, 2024

2425 Reddie Drive

Floor 13

Wheaton, MD 20902

Planning Staff

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LOCATION

710 Beacon Road, on the west side of Beacon Road, approximately 275 feet north of its intersection with Northampton Drive, Silver Spring

MASTER PLAN, ZONE

2000 *East Silver Spring Master Plan*
R-60 zone

PROPERTY SIZE

6.15 acres

APPLICATION

Mandatory Referral No. MR2024007 and Final Forest Conservation Plan No. F20240370

ACCEPTANCE DATE

January 25, 2024

REVIEW BASIS

MD. Land Use Article, Section 20-301, et seq. & Montgomery County Code Chapter 22A

Summary:

- Staff recommends approval of the Mandatory Referral with recommendations and transmittal of comments to Montgomery County Public Schools.
- Staff recommends approval of the Final Forest Conservation Plan with conditions.
- The Proposal is to replace the existing Joann Leleck Elementary School building and associated site features with a new, larger school building and associated site features.

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SECTION 1 - RECOMMENDATIONS

Mandatory Referral MR2024007

Staff recommends approval and the transmittal of the following comments to Montgomery County Public Schools:

1. The Applicant should continue the five-foot-wide street buffer and five-foot-wide sidewalk along the entire site frontage on Beacon Road to improve future access to Broadacres Local Park.
2. The Applicant should continue the sidewalk grade, material, and cross slopes across the two driveways.
3. The Applicant should comply with the approval conditions for Forest Conservation Plan F20240370.
4. Parking
 - a. The Applicant should provide no more than 116 vehicular parking spaces for faculty, visitors, and staff.
 - b. The Applicant should continue to provide five (5) reserved vehicle parking spaces for Broadacres Local Park patrons.
 - c. The Applicant should provide 40 short-term bicycle parking spaces, located near the main entrance to the new school.
 - d. The Applicant should explore options for permeable pavement within parking bays.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated March 5, 2024 and incorporates them as conditions of approval. The Applicant should comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Mandatory Referral and Final Forest Conservation Plan approval.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”), in its letter dated February 23, 2024, and incorporates them as conditions of approval. The Applicant should comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of approval.

7. The Planning Board accepts the recommendations of the Maryland Department of Transportation State Highway Administration (“SHA”), in its letter dated March 8, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which SHA may amend if the amendment does not conflict with other conditions of approval.
8. The Planning Board acknowledges Prince George’s County Planning Department Transportation Planning Section letter dated March 5, 2024, which noted having no comments on the Local Area Transportation Review for the Proposal.
9. The Planning Board acknowledges the Montgomery County Department of Permitting Service (MCDPS) Right of Way Plan Review Section email dated February 13, 2024, which noted deferring to MCDOT feedback.
10. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Fire Department Access review in its letter dated January 24, 2024 and incorporates them as conditions of approval. The Applicant should comply with each of the recommendations in the letter, which the MCDPS may amend if the amendments do not conflict with other conditions of Mandatory Referral and Final Forest Conservation Plan approval.
11. Parks Department
 - a. Construction plans must be submitted to the M-NCPPC Department of Parks (Montgomery Parks) for review as part of the Park Construction Permit process to ensure that all work is performed in accordance with M-NCPPC standard details, specifications, and policies. No work on parkland may occur until an approved Park Construction Permit is issued for the project.
 - b. Broadacres Local Park must remain open throughout demolition and construction of the elementary school. Maintenance access and public amenities are to remain available to the surrounding community during demolition and construction.
 - c. MCPS will provide Montgomery Parks with a designated maintenance access into Broadacres Local Park via a curb cut with a 10-foot width and a collapsible bollard to regulate vehicular access into the park.
 - d. Five designated parking spaces must be reserved adjacent to the park entry plaza for access into Broadacres Local Park. There shall be signage installed by MCPS indicating the designation.
 - e. An agreement shall be finalized to formally codify that MCPS will be responsible for structural and non-structural maintenance for the two stormwater facilities proposed to be constructed on parkland.

Forest Conservation Plan F20240370

Staff recommends approval with conditions of Final Forest Conservation Plan F20240370, to redevelop the existing Joann Leleck Elementary School at Broadacres, subject to the following Conditions:

1. Before certification of the Final Forest Conservation Plan, the Applicant must update the plan per the following:
 - a. Update all FCP sheets for consistency regarding tree removals, variance tables, mitigation and supplemental plantings, and associated plan elements as shown in the staff report and/or approved by the Planning Board.
 - b. Update overall plans as applicable so that all the credited mitigation plantings are at least five (5) feet away from any structures, paving, stormwater management facilities, PIEs, PUEs, ROWs, utility lines, and/or their associated easements.
 - c. Provide specifications for the control of invasive species and supplemental native species as needed.
 - d. Add specifications for soil restoration associated with any disturbed areas within the proposed Category 1 Easement.
 - e. Revise applicable tree tables and plan notes regarding tree #20, to clarify that all onsite portions of the tree care/stress reduction measures are to be performed, while portions of the recommended work to occur offsite would need prior permission from the neighboring owner(s); add plan notes requiring that good faith efforts to obtain the permission(s) shall be performed in a timely manner.
 - f. Clarify/correct notes and graphics as needed.
2. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
3. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
4. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the certified Final Forest Conservation Plan.
5. Before the start of any clearing, grading, or construction for this development Application, whichever comes first, the Applicant must:
 - a. Record a Category I Conservation Easement over all areas of forest retention/planting as specified on the approved Final Forest Conservation Plan. The Category I

Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed.

- b. Install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
 - c. Install the permanent conservation easement fencing and signs along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
 - d. Execute a five-year Maintenance and Management Agreement ("MMA") in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all forest planting areas and mitigation tree plantings credited toward meeting the requirements of the FCP. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.
 - e. Work with an ISA Certified Arborist who is also a Maryland Licensed Tree Care Expert to implement the tree-save plan, which includes protective measures for Trees #20 and #23. Additionally, an appropriate tree care professional will implement a five-year tree care program to ensure the long-term maintenance and monitoring of the prominently featured specimen Tree #20.
 - f. The Applicant must install the Afforestation/Reforestation plantings for Areas A outside of the limits of disturbance ("LOD") as shown on the approved FCP, within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
 - g. The applicant must install the afforestation/reforestation plantings for planting Areas A (inside the LOD), as shown on the approved FCP, in the first planting season following stabilization of the applicable disturbed area.
6. Record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Anacostia River Watershed or Priority Area to satisfy the reforestation requirement of 1.32 acres of mitigation credit. If no off-site forest banks exist within the Anacostia River Watershed or Priority Area, then the off-site requirement may be met by purchasing 1.40 acres of mitigation credits from a mitigation bank within Montgomery County outside of the Anacostia River Watershed or Priority Area, subject to Staff approval. If forest mitigation bank credits are not available for purchase, a fee-in-lieu payment must be made to M-NCPPC for the appropriate mitigation credits.
 7. Before initial planting acceptance inspections of the required on-site supplemental reforestation, the Applicant must install the permanent split-rail fence and signage along

the perimeter of the conservation easements as shown on the FFCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.

8. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved FCP. The variance tree mitigation plantings must be a minimum size of 3 caliper inches totaling 16 caliper inches and located outside of any right-of-way or utility easements, including stormwater management easements, as shown on the approved FCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.

SECTION 2 - INTRODUCTION

Review Process

The subject Mandatory Referral and Forest Conservation Plan Applications were accepted for review on January 25, 2024 and scheduled for a public hearing with the Planning Board on March 21, 2024. The Planning Department mailed notices on January 29, 2024 to adjoining and adjacent property owners as well as area civic, homeowners, and renters associations registered with the Department and located within one half-mile of the Site. The review process followed the protocols and timeline defined in the current Montgomery Planning Mandatory Referral Review Uniform Standards (updated December 2022).

The Applicant team conducted community engagement sessions on October 25, 2022, November 10, 2022, January 19, 2023, and March 22, 2023 to collect input, answer questions, and have discussions to inform the redevelopment scenario now proposed for the Joann Leleck Elementary School. The required pre-submission meeting with the Applicant team and staff from the Planning Department and Parks Department was held on April 25, 2023.

The Applicant sent an additional notice of the Applications dated February 8, 2024.

SECTION 3 – PROJECT DESCRIPTION

Background

Joann Leleck Elementary School is a public elementary school operated by Montgomery County Public Schools (MCPS). According to MCPS, the school first opened in 1952 as the Avenel Gardens Elementary School and was renamed Broadacres Elementary School shortly thereafter. In 2014 the school was renamed Joann Leleck Elementary School at Broadacres. Additions, major improvements, and renovations to the facility were completed in 1968, 1974, 1990, 1997 and 2005; creating the building's current configuration. Portable classroom units were added to the Site beginning in the 1990s with some remaining today. Portable classroom units generally occupy spaces on-site previously dedicated to outdoor play and learning. The existing school building has a gross floor area of approximately 87,700 square feet and has capacity for 723 students. Portable classrooms provide supplemental space for up to an additional 240 students (the total student capacity for the existing school and portable classroom space is 963). The existing parking lot has approximately 65 parking spaces for facility, staff, and visitors.



Photo source: MCPS

During the 2022-2023 school year, there were approximately 800 students enrolled and 138 faculty and staff working at Joann Leleck Elementary School. This school building has been serving the East Silver Spring community for over 70 years and is aging, over capacity and generally becoming functionally obsolete. This Mandatory Referral proposes to redevelop the Joann Leleck Elementary School site in its entirety, to include a new, larger elementary school building and associated site features. The Proposal is part of MCPS capital improvement program.

Surrounding Neighborhood

The subject site (Site, Subject Property or Property) is located in East Silver Spring within the area encompassed by the 2000 *East Silver Spring Master Plan* (Master Plan). The Site is within an established neighborhood as illustrated in Figure 1. To the south of the Property is the Northwest Park Apartments, which includes a series of low-rise apartment buildings in the R-20 zone. To the east is the Hampshire Park Apartment complex, which includes a series of low-rise apartment buildings in the R-20 zone. Also to the east is the St. Camillus campus, which includes the Saint Francis International School, Victory Oaks senior housing, St. Camillus church and associated outbuildings and parking lots, all in the R-60 zone. To the north and west of the Site is the Broadacres Local Park,

which is developed with a basketball court, playground, and athletic fields. Also west of the Site is the Northwest Branch Stream Valley Park Unit 3, which is primarily forested. Beyond Broadacres Local Park to the north is an established neighborhood of single-family dwellings in the R-60 zone.

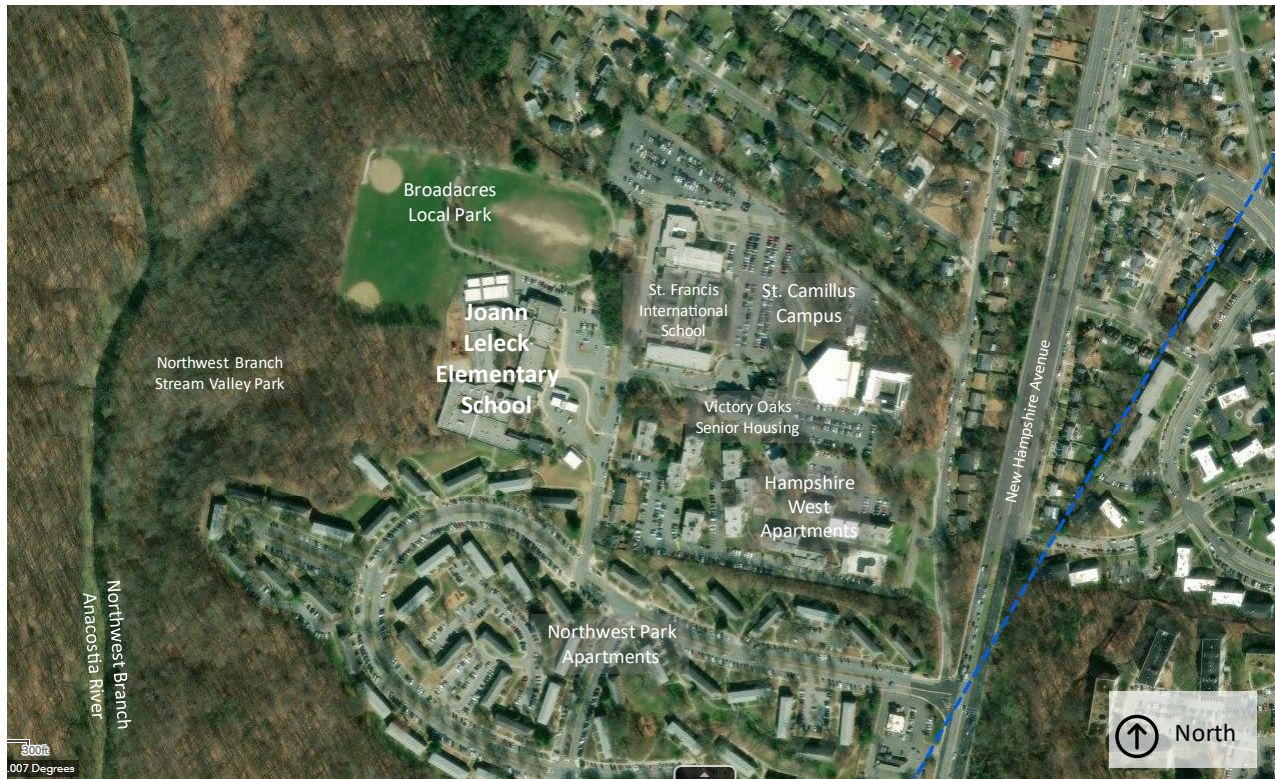


Figure 1: Neighborhood Context

Site Description

The Property is comprised of three unplatted parcels totaling 6.15 acres in the R-60 zone. It is improved with the single-story Joann Leleck Elementary School building, portable classroom buildings, outdoor play-spaces, and parking lot with approximately 65 total spaces as shown in Figure 2. The northeastern portion of the parking lot is on M-NCPPC parkland, in accordance with a prior agreement for such. The Property fronts on Beacon Road, with access provided through two curb cuts at the Property's southeast corner. The northern curb cut provides access to the main parking lot. The southerly curb cut provides access to a drop-off loop and a smaller parking area. The southwest corner of the Property is forested and there are several individual mature trees dotting the Site.



Figure 2: Existing Conditions

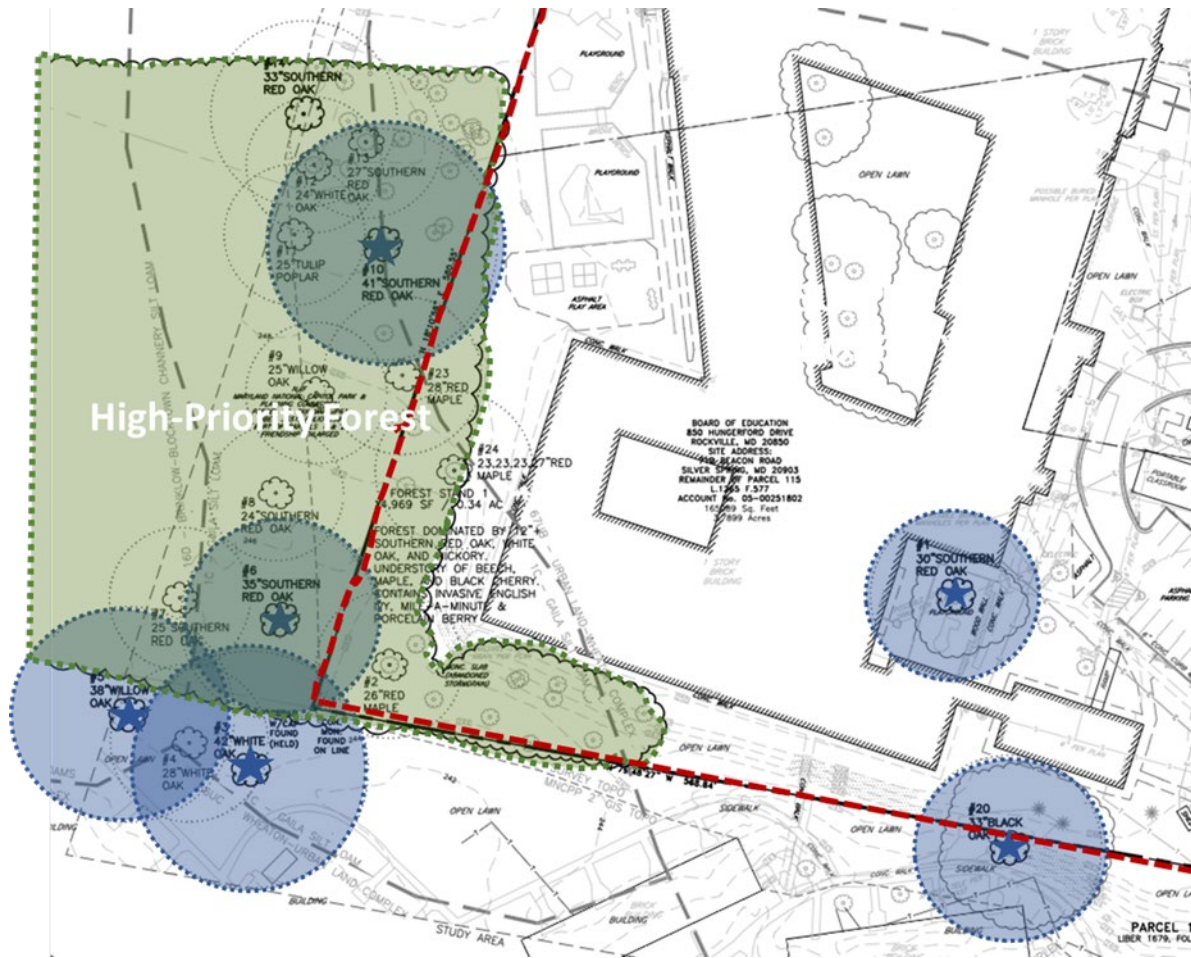


Figure 3: Natural Resources Inventory – Existing Conditions

The Property is located within the Northwest Branch watershed, which is a Use IV¹ watershed. The Northwest Branch and its associated forest stream valley are west of the elementary school. The edge of the forest associated with the stream valley park extends onto the school property and encompasses 0.34-acres at the Site’s southwest corner, as shown in Figure 3. This forested area is delineated as a high priority forest by Natural Resources Inventory (NRI) No. 420240240 completed for the Site. Per COMCOR 22A.00.01.07.A.2, a contiguous forest that connects the largest undeveloped or most vegetated tracts of land within and adjacent to the site is considered a high priority for retention. There are no stream buffers, wetlands, or 100-year floodplains on-site. The soils on the Property are classified as urban land and are not considered highly erodible or sensitive. There are no known rare, threatened, or endangered species on the Property.

¹ Use IV: RECREATION TROUT WATERS. Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply; industrial water supply, uses as public water supply, capable of holding or supporting adult trout for put-and-take fishing; and manage as a special fishery by periodic stocking and seasonal catching.

Project Description

This Application proposes to redevelop the entirety of the Property with a new, larger elementary school building, new larger parking lot with 116 spaces, separated bus and student drop-off areas, outdoor play spaces, and series of stormwater management facilities (Figure 5). Some parking and stormwater facilities will continue to be located on M-NCPPC parkland at the Site's northeast corner. The new school will include rooftop solar panels and a geothermal system for heating and cooling. The existing school building and all associated site features are to be removed to facilitate the redevelopment program.

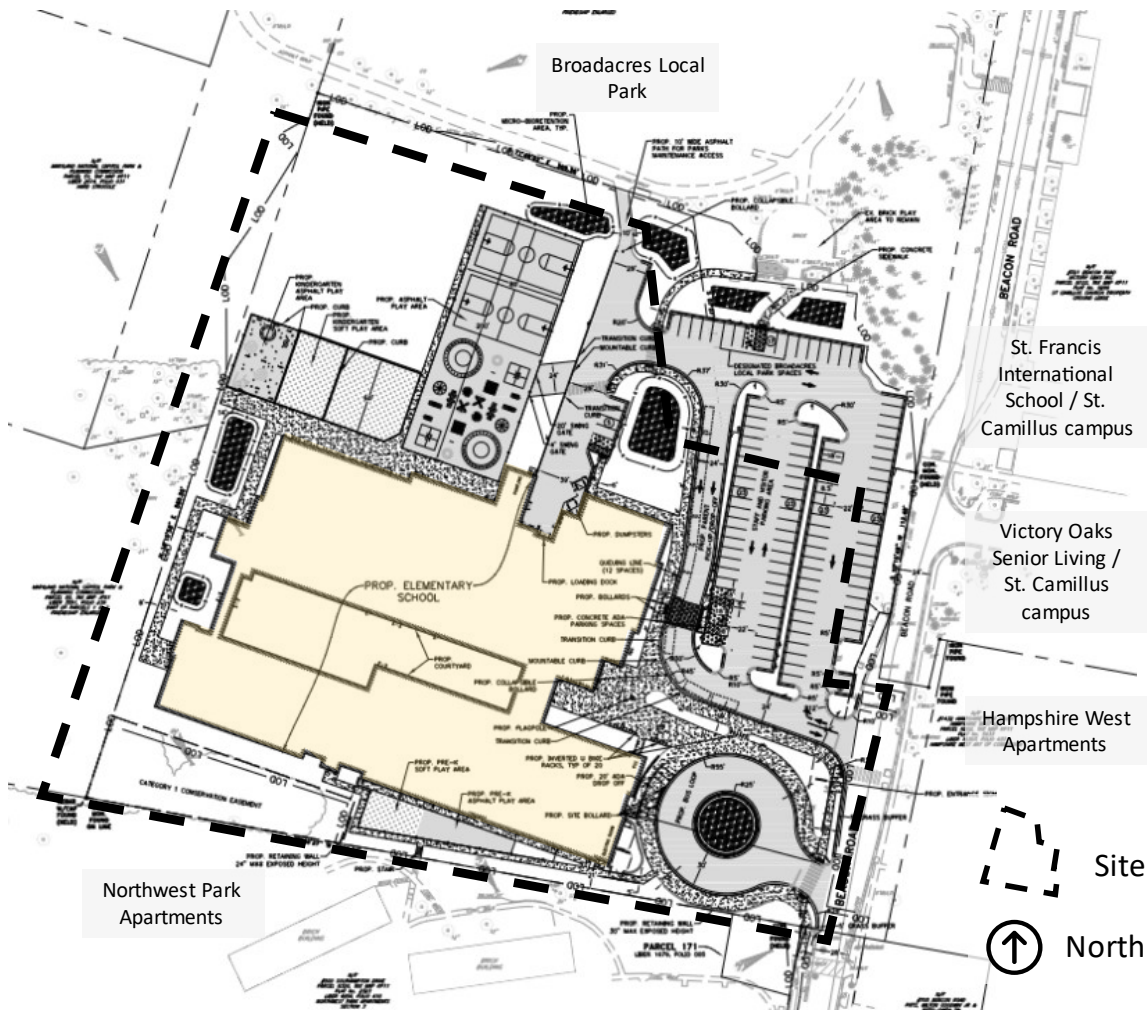


Figure 5: Proposed Redevelopment Plan

BUILDING/ARCHITECTURE

The new school building will have gross floor area of 109,631 square feet and accommodate up to 925 students and 164 facility and staff. The building generally consists of a three-story southern

classroom wing and a single-story northern wing to house additional learning spaces, a gymnasium, cafeteria, kitchen, offices, a community health clinic, and associated support and service spaces. In between the wings of the building are two internal, open-air courtyards. The building will have a maximum height of approximately 44 feet on the southern wing and steps down to heights of approximately 30 feet at the gymnasium and 15 feet for other spaces at the northern wing. Solar panels are planned for a significant portion of the building's roof.

The main entrance to the building is at its southeast corner and includes an outdoor entry plaza fronting on a new bus drop off loop and student drop off area in the adjacent parking lot. The eastern façade of the new school building is shown in Figure 6. The building includes ample fenestration in common areas and learning spaces. Facades are proposed to be clad with a combination of brick and architectural panels.



Figure 6: Eastern Building Façade (fronting on Beacon Road)

OPEN SPACE

Approximately 25,000 square feet or nine percent of the Property's area will be developed as outdoor play and learning space for students external the building, illustrated in Figure 7. The Property also benefits from its location adjacent to the public open space and recreational amenities at Broadacres Local Park.

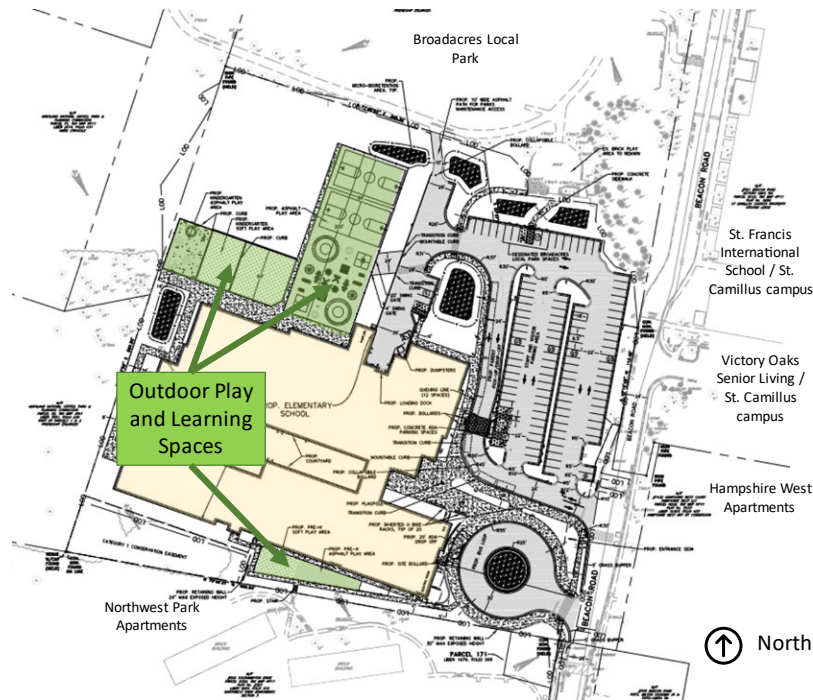


Figure 7: Proposed Outdoor Recreation and Play Spaces

TRANSPORTATION

Access and Vehicular Parking

All access to the Site is provided from Beacon Road. The Site currently has two driveways: one for bus access and one for parent pick-up. Parking for staff and visitors is provided in both loops. As shown in Figure 8, the proposed design creates a formal separation of school bus circulation from vehicle parking and queuing. When compared to existing conditions, the proposed bus loop provides queuing space for up to the three buses and no parking for staff or visitors. The new staff and visitor parking lot includes 116 parking spaces, of which five are reserved for users of the Broadacres Local Park. Accessible parking spaces are provided proximate to the building's entrances and access path to Broadacres Local Park. There will be space to accommodate 12 vehicles in a parent pick-up/drop-off zone as illustrated in Figure 8. The drive aisle around the periphery of the parking lot can provide temporary space for 23 additional vehicles to queue while waiting to access the pick-up/drop-off zone. In total, this layout provides space to accommodate approximately 35 vehicles on-site queuing for pick-up/drop-off curbside and in the parking lot.

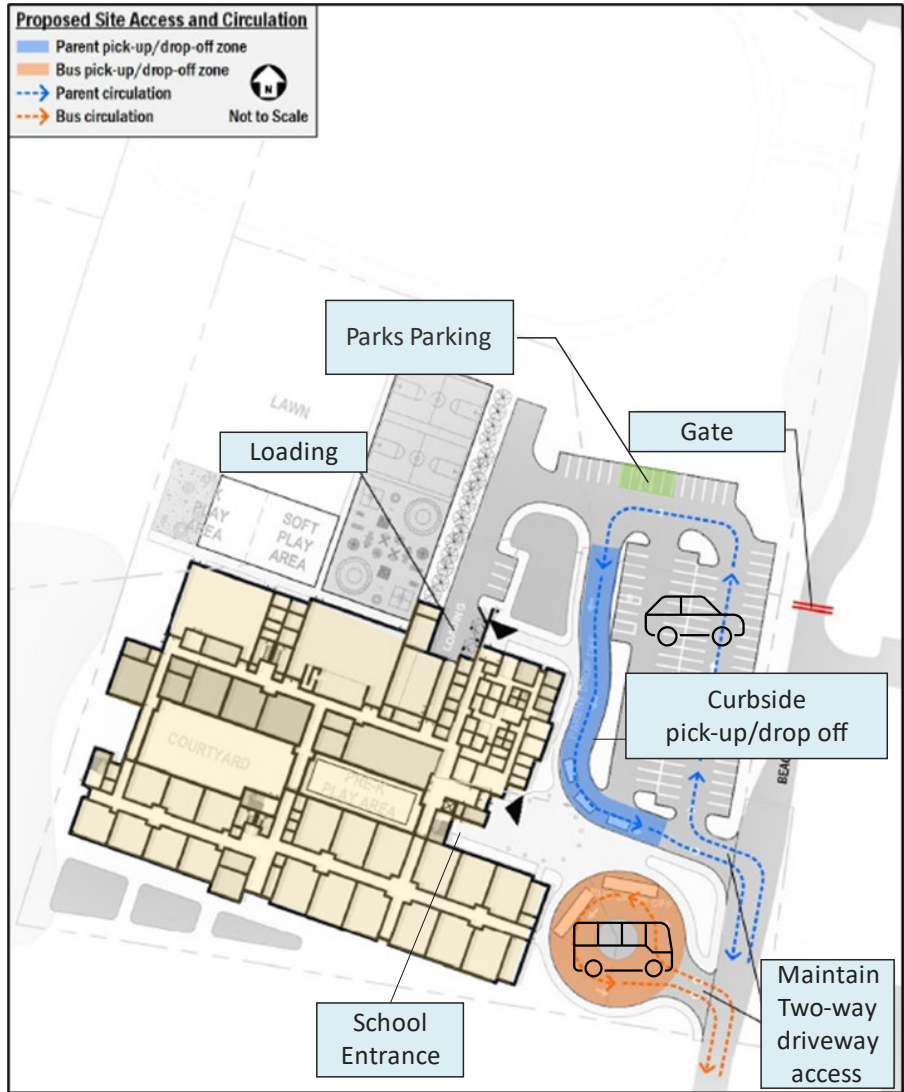


Figure 8: Proposed Access and Circulation

Circulation

The proposed bus and vehicular access, parking and queuing arrangement will provide a safer and more efficient vehicular circulation pattern on-site. Pedestrian circulation along the Site’s frontage is directed to the main entrance of the School by ADA accessible sidewalks, crosswalks, and curb ramps where appropriate and feasible.

The Joann Leleck Elementary School has one of the highest non-auto driver mode shares in the Montgomery County School System with more than 70 percent of students enrolled routinely walking to and from school. Families walking to school access the building from the surrounding sidewalk network along Beacon Road and the connecting neighborhood streets. An existing marked crosswalk is located proximate to the school’s main entrance which connects students to the sidewalk on the

east side of Beacon Road. This crossing is enforced with a stationed crossing guarding during morning arrival and afternoon dismissal hours.

Loading and Trash Collection

The loading and service area for the proposed school building is located on its north side, obstructed from view from the front entrance. Truck turning templates and circulation exhibits included with the Application demonstrate that design vehicles will be able to navigate the Site and access this service area.

Bicycle Parking

The Applicant is proposing to install 40 bicycle racks near the front entrance of the new school.

ENVIRONMENT

NRI/FSD No. 420240240 was approved on November 2, 2023 for the Property and showed 0.34 acres of high-priority forest at its southwestern corner. The on-site forest serves as a valuable screen between the existing school building and the nearby garden apartments. Due to the Proposal's effects on specimen trees and forest areas, a tree save plan is a requisite part of the Forest Conservation Plan. Consequently, the existing buffer between the school and garden apartments falls under the Tree Save Plan stipulations under 22A.00.01.08.F.(2)&(3)(b). These regulations mandate the preservation of specimen trees and tree stands, which are critical for screening reasons. If the removal of these trees is deemed unavoidable, replacements must be implemented sufficient in type and quantity to fulfill the same screening function.

In alignment with Sec. 22A-12(b)(1), a Category I Forest Conservation Easement (containing retained/protected forest) is provided at the Site's southwest corner, which aids in achieving the main goal of the Forest Conservation Law — the retention of existing forests and trees to circumvent the need for reforestation. The protection of on-site forest aligns with the East Silver Spring Master Plan recommendations for enhancing local aesthetics, improving the natural environment, and fostering a healthier urban environment. These environmental recommendations from the Master Plan are directly bolstered by the proposed Category I Easement area, as shown in Figure 9.

In addition to the high-priority forest area, there are four specimen trees proposed to be impacted by the Proposal, which are subject to a Forest Conservation variance, as detailed in Section 5 of this report.

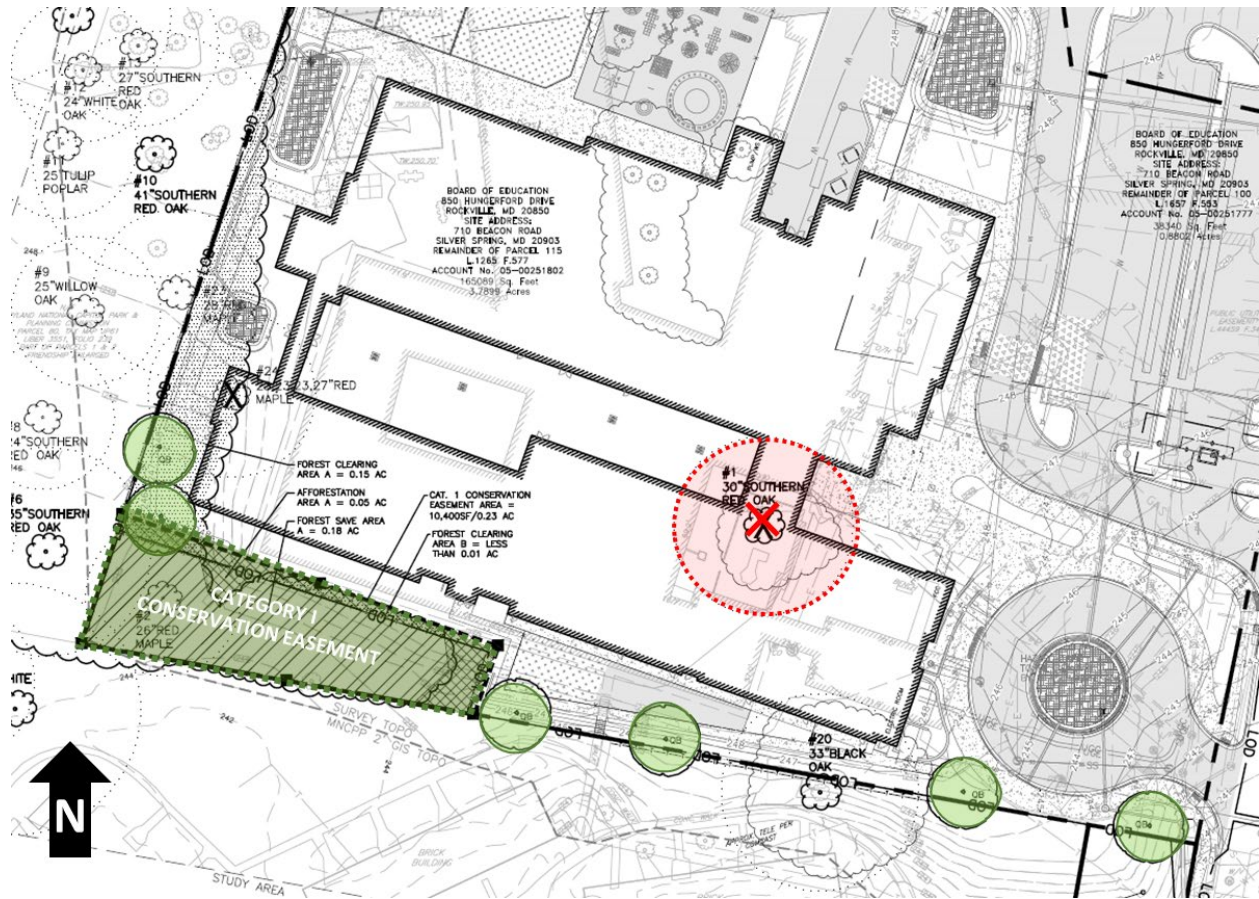


Figure 9: Proposed Specimen Tree Removal and Mitigation Planting

SECTION 4 – MANDATORY REFERRAL ANALYSIS

Mandatory Referral review is guided by the Montgomery Planning Mandatory Referral Review Uniform Standards (December 2022), and the authority granted through the Maryland Land Use Article, Section 20-301, et.seq. As set forth in Sections 20-301 and -302, the Montgomery County Planning Board has jurisdiction over mandatory referral projects presented by Montgomery County government and Montgomery County Board of Education/Montgomery County Public Schools, for (i) acquiring or selling land; (ii) locating, constructing or authorizing a road, park, public way or ground, public building or structure, or public utility; or (iii) changing the use of or widening, narrowing, extending, relocating, vacating or abandoning any of the previously mentioned facilities. The Planning Board must review such projects and transmit comments on the proposed location, character, grade, and extent of the activity.

As described in the Uniform Standards, the Planning Board considers all relevant land use and planning aspects of the proposal including, but not limited to, the following:

1. Whether the proposal is consistent with the County’s General Plan, functional plans such as the master plan of highways, environmental guidelines, the approved and adopted area master plan or sector plan, and other public plans, guidance documents, or programs for the area;

The Property is within the area subject to the 2000 *East Silver Spring Master Plan*. The Plan shows the existing school site as being retained for this use and reaffirmed the Site’s R-60 zoning. The Plan does not include other site-specific recommendations, but does include the following general recommendations that apply to this Application:

- a) ***Land Use and Neighborhood Preservation – Revitalization and Diversity***
 - i. ***Restore, maintain and improve the infrastructure of older neighborhoods by providing sidewalks, curbs, lighting, landscaping, and other improvements as needed. Consider both pedestrian access and safety when planning improvements.***

Over 70 percent of students enrolled at Joann Leleck Elementary School walk to school from nearby apartment complexes and neighborhoods. Consideration for pedestrian access and safety is reflected in the site and building design. In conjunction with creation of a new school building, the redevelopment proposal will improve sidewalks, curbs, lighting, and landscaping on the entirety of the Property. This will allow for safer pedestrian access and circulation on-site and at connection points to the neighborhood and abutting Broadacres Local Park. The building’s design places its main entrance facing the community and includes a welcoming outdoor entry plaza. Bicycle racks are provided near the entrance as well.

The Proposal incorporates principles of crime prevention through environmental design (CPTED), a multi-disciplinary approach to crime prevention that uses land planning, urban design and the management of the local environment to reduce opportunities for crimes to occur and encourage a sense of community.

- b) ***Environmental Resources***
 - i. ***Air Quality - Design new development and redevelopment to prevent conditions that may create local air pollution nuisances.***

The proposed building will pursue meeting Green Globes standards for new construction by incorporating a number of green building practices. These measures include the use of low-emitting materials to increase indoor air quality, and the incorporation of solar and geothermal systems to reduce the building’s use of carbon-based energy sources and reduce its output of

greenhouse gases associated with operating mechanical and climate control systems.

During the construction phase of the Project, the Applicant will be required to follow applicable County and State regulations regarding dust, odor and other temporary air quality control issues.

ii. **Noise – Design new development and redevelopment to prevent conditions that may create local noise pollution problems.**

This is a redevelopment proposal to replace an existing public elementary school with a new public elementary school. The new school will not be located any closer to abutting residential development. Play areas are sited at the northwestern corner of the Site, adjacent to Broadacres Local Park

iii. **Water Quality/Stormwater Management – Continue to provide on-site stormwater treatment with effective technologies, where feasible.**

Stormwater facilities are generally lacking at the existing Joann Leleck Elementary School. The Proposal provides for a modern site-wide stormwater management system that will result in a significant improvement in the control and treatment of stormwater runoff on-site as compared to existing conditions. The Department of Permitting Services, in a letter dated March 5, 2024, determined the proposed stormwater concept plan to be acceptable.

c) **Neighborhood-Friendly Circulation Systems- Pedestrian System**

i. **Improve pedestrian access to shopping areas, transit, and community facilities by providing tree-lined sidewalks throughout the area.**

As noted under Finding 1.a.i. above, pedestrian improvements to connect the redeveloped school property with the surrounding neighborhood are proposed. New tree plantings are proposed proximate to sidewalks and entry plaza of the school building and in a portion of the Site’s frontage on Beacon Road.

The 2018 *Bicycle Master Plan* does not have any recommendations for Beacon Road, or other residential roads within the vicinity of the Site.

2. whether the proposal is consistent with the intent and the requirements of the zone in which it is located;

The Subject Site is within the R-60 zone and is in general conformance with the development standards of the zone as follows:

a) **Development Standards**

Table 1: Joann Leleck Elementary School – R-60 Zone Standard Method Development Standards

| Development Standards | Permitted/ Required | Proposed |
|--|--------------------------------|-------------------------|
| R-60 Zone Standard Method Development | | |
| Minimum Lot Area | 6,000 sf | 267,972 sf (6.15 acres) |
| Minimum Lot Width at Front Building Line | 60 ft | 374 ft |
| Minimum Lot Width at Front Lot Line | 25 ft | 360 ft |
| Frontage on Street or Open Space | Required | Provided |
| Maximum Density (units per acre) | 7.26 | n/a |
| Maximum Lot Coverage | 35% | 29% |
| Minimum Front Setback | 25 ft | 145 ft |
| Minimum Side Setback | 8 ft | 21 ft |
| Minimum Sum of Side Setbacks | 18 ft | 252 ft |
| Minimum Rear Setback | 20 ft | 27 ft |
| Maximum Height | 35 ft | 44 ft |
| | | |

The Proposal is in general conformance with the development standards of the R-60 zone, with the exception of maximum building height. The zone limits the maximum height of non-public buildings to 35 feet. The proposed school has a maximum height of 44 feet.

i. **Division 6.2 Parking, Queuing, and Loading**

A new parking lot for staff and visitors with 116 total vehicle parking spaces, 40 bicycle parking spaces, one loading spaces are proposed to service the new school, as shown in Table 2. Of the total vehicle spaces, five will be reserved for visitors to Broadacres Local Park. Those spaces are located proximate to Broadacres Local Park. The inclusion of signage indicating the reservation of these spaces is recommended. A separate bus-only loop is provided proximate to the main entrance of the school building. The Parking Requirements of the Zoning Ordinance, Section 59.6.2.4, and Loading Design Standards, Section 59.6.2.8, do not set minimum or maximum capacity requirements for public school parking facilities. MCPS has determined that the below parking is sufficient and Staff supports these numbers.

Table 2: Parking and Loading Conditions

| | Existing | Proposed |
|-------------------------------|----------------------|------------------|
| Vehicle Parking Spaces | 69 | 116 ² |
| Standard | 65 | 110 |
| Accessible | 4 | 6 |
| | | |
| Bicycle Parking Spaces | Figure not presented | 40 ³ |
| | | |
| Loading Spaces | Figure not presented | 1 |

Access to the parking lot will be from Beacon Road, proximate to the southwest corner of the Site. The loading and service area is on the north side of the new school and accessed from the northwest corner of the parking lot. Paved service access, connecting the school parking lot to the paved Broadacres Local Park path system, is also provided north of the new building’s loading and service area.

ii. ***Division 6.3 Open Space and Recreation***

There are no open space or recreation requirements that apply to this public-school project. Nonetheless, this Proposal embraces the intent of this Section of the Ordinance. The new school building includes two, open-air courtyards, allowing for more natural light into learning spaces and opportunities for outdoor learning, internal to the building. The redeveloped Site includes multiple outdoor recreation and learning spaces for students and improves access to abutting Broadacres Local Park, through dedicating five parking spaces for Broadacres Local Park users and improving paved pedestrian and service vehicle connections from the School property to the Park.

iii. ***Division 6.4 General Landscaping and Outdoor Lighting***

Landscaping is provided through shrub and tree plantings outside of the School’s main entrance, and tree plantings in and around the parking lot.

² Of the 116 vehicle parking spaces to be provided, five spaces directly adjacent to Broadacres Local Park are to be dedicated for use by visitors of the Park.

³ The Application does not specify a proposed number of bicycle parking spaces, but shows 20 bicycle racks proximate to the main entrance of the school. Staff recommends the Proposal include at least 40 bicycle parking spaces at bike racks proximate to the main entrance of the building as noted in recommended Condition 4.c. of this Staff Report.

Additional planting of canopy trees spanning the length of as much of the southern property line is highly encouraged and included as Recommendation 5 of this Report. Canopy trees in this location will provide multiple practical benefits. Providing shade to the southern façade of the school building could make interior learning spaces more comfortable and cost efficient to cool in hot weather. Providing trees to shade the outdoor play space for the school's youngest students will make it more inviting and useable. Such plantings in this location would provide long-term environmental services including stormwater and pollutant uptake, slope stabilization and improving habitat value. Supplemental tree planting is also in-line with the goals of the Reforest Montgomery and MCPS Tree Planting Partnership.

Outdoor lighting is provided with wall-mounted fixtures on the school building and pole-mounted parking lot lights. Photometric plans provided with the Application show on-site illumination will be 0.5 footcandles or less at lot lines.

iv. ***Division 6.5 Screening Requirements***

In accordance with Section 59.6.5.2 of the Zoning Ordinance, there are no screening requirements applicable to this Proposal. Regardless, the landscape plan includes planting of 10 ornamental trees proximate to its eastern lot line, which will provide some screening of the parking lot from Beacon Road, where none currently exists.

3. whether the nature of the proposed site and development, including its size, shape, scale, height, arrangement, design of structure, massing, setback(s), site layout, and location(s) of parking is compatible with the surrounding neighborhood and properties;

The nature of the Proposal is compatible with the surrounding neighborhood as it continues the long-standing public-school use of the Property. The Proposal replaces an older, existing school with functional challenges and insufficient parking, with a larger, modern building and associated facilities. The proposed building will be a maximum height of approximately 44 feet (three levels) proximate to the Site's southern property line. This is generally consistent with the three-level height of apartment buildings in the abutting Northwest Park apartment complex and adjacent Hampton West apartment complex. The proposed building will scale-down to a single level on its northern side, proximate to Broadacres Local Park and the one-story school (St. Francis) to the east. The overall size, shape, height, arrangement, and layout of site elements, as well as the scale, massing and setback of the new school building are

compatible with the surrounding neighborhood and properties.

4. whether the locations of buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;

The site design is respectful of its neighborhood context and presents a sensible layout for the new building, parking facilities, open space, and vehicular circulation systems. Separated, drop-off areas for bus transportation and vehicles are provided and accessed by two independent driveways at the southeast corner of the Site, from Beacon Road. The southern driveway will be for buses only and will provide queuing space for the three busses serving the school. The northern driveway provides access to the staff and visitor parking area, student drop-off/pick-up zone, and building's loading and service area. The proposed parking lot and pick-up/drop-off area will also contain approximately 700 linear feet of student pick up/drop off queuing (space for approximately 35 vehicles), compared with 630 feet (approximately 31 vehicles) for queuing under existing conditions.

Staff notes that Section 59.6.1.4.D of the County Code, allows for a maximum of two driveways for every 300 feet of frontage along any street. Mandatory Referral Applications are not subject to the Zoning Code, but it is important to note that the intent of this requirement is to increase safety of all travel modes as it reduces conflict points on-site. However, separating bus and passenger vehicle access is a noted best practice for school site design as it reduces potential exposure between buses and cars and yields an improvement in safety and efficiency of all transportation modes and is therefore in the public interest. In this case, removing all existing parking spaces from the existing bus loop, with the objective to separate buses from passenger vehicles the main entrance of the Site increases the safety and efficiency of the Site access and circulation.

The proposal increases parking capacity on-site by 51 spaces, from 65 to 116 spaces, which could provide relief from the school's existing parking and queuing challenges. New on-site sidewalks and connections to existing sidewalks and paths on Beacon Road and in Broadacres Local Park are proposed and are designed to meet ADA accessibility standards. Proposed landscaping is concentrated proximate the entrance of the new school building to accent this focal point. The locations of buildings, structures, open spaces and landscaping, recreation facilities and pedestrian and vehicular circulation systems are adequate, safe, and efficient.

5. whether the proposal has an approved NRI/FSD and a preliminary SWM concept plan, and meets the requirements of the Forest Conservation Law (Chapter 22A of the County Code). Forest Conservation Plan, if applicable, must be approved by the Planning Board, either before or at the time of the Board's mandatory referral

review and action on the project. Unlike the mandatory referral review by the Board, the conditions of the Forest Conservation Plan are binding on all county projects and require a Resolution of Approval.

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD), designated No. 420240240, was approved for the Property on November 02, 2023. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property, including significant and specimen trees throughout the Site and a 0.34-acre high-priority forest along the west and southern boundaries of the Site.

Final Forest Conservation Plan ("FFCP") No. F20240370 was submitted for concurrent review with this Mandatory Referral application. The Subject Property is classified as an Institutional Development Area ("IDA") as defined in Section 22A-3 and specified in the Trees Technical Manual. As presented in the Applicant's final submission, the FFCP is in general compliance with the Section 22A-4(a), with conditions recommended herein to address minor issues prior to certification.

The approval of the stormwater management plan is under the purview of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section. As noted in their letter dated March 5, 2024, 2024 the stormwater concept is acceptable, subject to a number of conditions.

- 6. whether a Preliminary or a Final Water Quality Plan has been reviewed by the Planning Board if the project is located in a Special Protection Area. In addition, for a Water Quality Plan for a project on public property, the Board must determine if the plan meets the standards of Article V. WATER QUALITY REVIEW IN SPECIAL PROTECTION AREAS, of the County Code (pursuant to Section 19-65(d)(4));***

The proposal is not located in a special protection area, therefore this requirement is not applicable.

- 7. whether or not the site would be needed for park use if the proposal is for disposition of a surplus school.***

This requirement is not applicable as the Proposal does not involve disposition of surplus school land.

- 8. whether alternatives or mitigation measures have been considered for the project if the proposal is inconsistent with the General Plan or other plans and policies for the area, or has discernible negative impacts on the surrounding properties or***

neighborhood, the transportation network, the environment, historic resources (including burial sites) or other resources.

The Proposal is generally consistent with Thrive 2050, the 2000 *East Silver Spring Master Plan*, and other plans and policies for the area. The Proposal will replace an aged elementary school building with functional and capacity challenges, with a new, larger school building and associated facilities to serve the surrounding neighborhood and East Silver Spring community. There are no known historic resources proximate to this Proposal. As discussed herein and further detailed below, the Proposal will not have a discernable negative impact to the transportation network, the environment, surrounding properties and neighborhood, historic resources (including burial sites) or other resources.

LOCAL AREA TRANSPORTATION REVIEW

The Application is subject to the 2020-2024 *Growth and Infrastructure Policy* (GIP) approved by the County Council on November 16, 2020. As shown in Table 3, the Project is estimated to generate 242 net new person trips in the morning peak hour, 118 net new person trips in the school afternoon peak hour, and 35 net new persons in the evening commuter peak hour. Therefore, a transportation impact study, dated August 2, 2023, conducted by Gorove Slade Transportation Planners and Engineers is included with the Application.

Table 3: Person Trip Generation During the Peak Travel Periods

| Land Use/Density | AM Peak | School PM Peak | Commuter PM Peak |
|--|----------------|-----------------------|-------------------------|
| Existing: Elementary School 799 Students, 138 staff | 1,280 | 627 | 193 |
| Proposed: Elementary School 925 Students, 164 staff | 1,522 | 745 | 228 |
| Net New | 242 | 118 | 35 |

As the Site is located within the Takoma Park/Silver Spring Policy Area (No. 33), an Orange Policy Area, the Transportation Impact Study (TIS) must address system modal adequacy for motorists, pedestrian, bicycle, and bus transit modes. A Vision Zero Statement is also required.

Based on estimated net new person trips generated in the peak hour by the Application, the Applicant was required to conduct a Tier 1 Transportation Impact Study for motor vehicles and Tier 3 for all other modal adequacy tests. The scope of each required modal system test is included in Table 4 below.

Table 4: Transportation Impact Study Scope

| Peak Hour Trips Generated | System Adequacy Test | Scope of Study for a Red Policy Area |
|---------------------------|----------------------|--|
| 0-250 | Motor Vehicle | 1 Tier of Intersections |
| 200-349 | Pedestrian | 900' walkshed for PLOC and Streetlamps 450' walkshed for ADA compliance |
| | Bicycle | 900' Bikeshed |
| | Bus Transit | 3 bus stops within 1,000' |
| | Vision Zero | Up to 6 speed studies within 900' of the Site |

MOTOR VEHICLE MODAL ADEQUACY TEST

A total of five intersections (including the Site's two driveways) were scoped for the transportation impact study. The intersections are shown in Figure 10 below and the results of the HCM methodology are presented in Table 5. As shown in Table 5 none of the intersections studied are forecasted to exceed capacity with the proposed increase in student enrollment, therefore no mitigation strategies were identified in the Study. The future traffic conditions will need to be studied if the school plans to increase enrollment beyond what was studied for this project (925 total students).

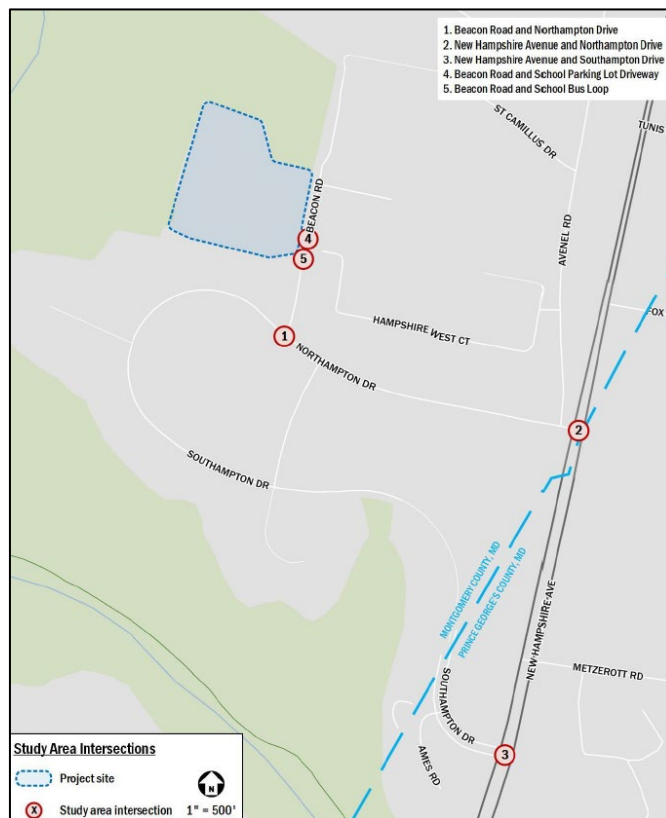


Figure 10: Map of Traffic Study Intersections

Table 5: Intersection Capacity: Highway Capacity Manual Methodology

| ID | Intersection/Corridor | Traffic Control | Delay Standard (seconds) | Existing Conditions (seconds) | | | Background Conditions (seconds) | | | Total Future Conditions (seconds) | | |
|----|--|-----------------|--------------------------|-------------------------------|---------|--------|---------------------------------|---------|--------|-----------------------------------|---------|--------|
| | | | | AM | Sch. PM | Cm. PM | AM | Sch. PM | Cm. PM | AM | Sch. PM | Cm. PM |
| 1 | Beacon Rd/Northampton Dr | Stop | 80 | 3.4 | 4.1 | 2.3 | 3.4 | 4.1 | 2.4 | 3.2 | 4.4 | 2.4 |
| 2 | New Hampshire Ave/ Northampton Dr | Signal | 80 | 20.8 | 18.3 | 17.0 | 20.9 | 18.4 | 17.0 | 21.3 | 18.8 | 17.1 |
| 3 | New Hampshire Ave/ Southampton Dr | Stop | 80 | 7.0 | 9.9 | 22.3 | 12.2 | 10.1 | 23.1 | 12.2 | 10.1 | 23.1 |
| 4 | Beacon Rd/School Parking Lot Driveway | None | 80 | 3.2 | 6.4 | 6.3 | 3.2 | 6.4 | 6.3 | 3.9 | 6.7 | 6.4 |
| 5 | Beacon Rd/ School Bus Loop | None | 80 | 1.4 | 2 | 0.4 | 1.4 | 2 | 0.4 | 1.1 | 1.8 | 0.4 |

Source: Gorove Slade, dated August 2, 2023

PEDESTRIAN MODAL ADEQUACY TEST

There are three components of the Pedestrian Modal Adequacy test: Pedestrian Level of Comfort (PLOC), Streetlamps assessment, and the ADA compliance. A Tier 3 Transportation impact study must evaluate a walkshed of 900 feet from the site frontage, and the maximum required length of sidewalk and street lighting improvements beyond the frontage is four times the walkshed. The impact study must evaluate a walkshed of 450 feet from the site frontage.

Pedestrian system adequacy is defined as providing a “somewhat comfortable” or “very comfortable” PLOC score on streets and intersections for roadways classified as Primary Residential or higher within the scoped walkshed from the Site frontage. The Applicant analyzed the sidewalks and intersections within 900 feet of the site frontage and identified 10 deficient curb ramps, with various compliance issues including exceeding the cross slope (maximum two percent), exceeding the gutter slope (maximum five percent), absence of detectable warning surfaces, insufficient landing area at the top of the ramp, and exceeding the flared side slope (maximum 8.3 percent). The locations of the deficient curb ramps are shown in Figure 11. It should be noted that Curb Ramp Location C is on the Site and will therefore be improved to meet ADA design standards.

Additionally, approximately 2,4000 linear feet that do not meet maximum streetlighting network spacing requirements (150 feet maximum). The specifics of these deficiencies are included in the Transportation Impact Study, attached to the Staff Report (Attachment C). While deficiencies were noted by this test, the Applicant is not required to participate in

mitigation of documented deficiencies in accordance with the 2023 *Local Area Transportation Design Guidelines* (LATR) and the Uniform Standards for Mandatory Referral Review.

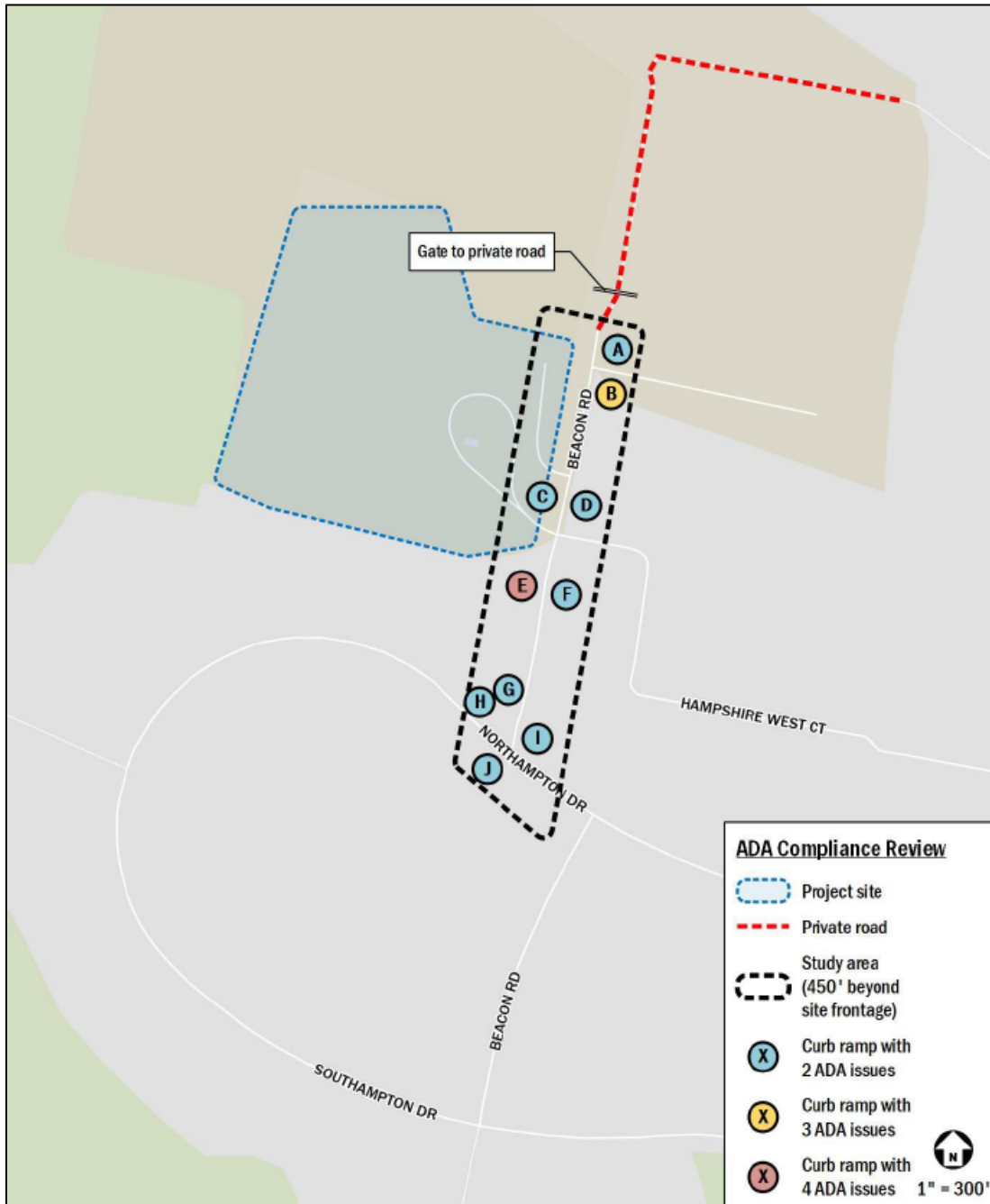


Figure 11: Location of Curb Ramp Deficiencies

BICYCLE SYSTEM ADEQUACY

Bicycle system adequacy is defined as providing a low Level of Traffic Stress (LTS-2) for bicyclists. The Applicant evaluated a 900-foot bikeshed from the Site frontage. Based on the

Bicycle System Adequacy review, every roadway segment within the study area meets Bicycle LTS adequacy standards.

BUS TRANSIT SYSTEM ADEQUACY

The Applicant must conduct an analysis of existing and programmed conditions to ensure that there are bus shelters outfitted with real-time travel information (RTI) displays and other standard amenities, along with a safe, efficient, and accessible path between the site and a bus stop, at a certain number of bus stops within a certain distance of the Site frontage, as determined by the scoped Tier of the TIS. The Applicant identified eight transit stops within the study area. Three of them are outfitted with shelters, but none have RTI displays.

VISION ZERO STATEMENT

The purpose of the Vision Zero Statement is to assess and propose solutions to high injury network and safety issues, review traffic speeds, and describe in detail how safe site access will be provided. The Applicant was required to analyze existing traffic safety conditions within 900 feet of the Site frontage which includes a review of the High Injury Network, review of historical crash data within the last five years, and analysis of traffic speeds along four segments within the scoped TIS boundary.

There are no High Injury Network roadway segments within 900 feet of the Site frontage.

The Applicant reviewed crash history within 900 feet of the Site frontage and determined that a total of 18 crashes were recorded between 2018 and 2022. None of the crashes were severe or resulted in fatalities or severe injuries.

In coordination with Planning staff the Applicant identified 4 locations for speed studies within the TIS scope boundary:

1. Beacon Road between Northampton Drive and the Leleck Elementary School driveway
2. Northampton Drive between Beacon Road and New Hampshire Avenue
3. Beacon Road between Northampton Drive and Southampton Drive
4. Southampton Drive west of Beacon Road

The 85th percentile speeds for each segment were calculated based on the observations recorded on June 7th and June 8th, 2023. None of the observed 85th percentile speed for any day or direction exceeds the posted speed by 20 percent.

Per the 2020-2024 *Growth and Infrastructure Policy*, the Applicant is not required to participate in the identified deficiencies for each of the modal system adequacy tests. For mandatory referral cases the purpose of the transportation impact study is to identify deficiencies for future improvements to be installed by adjacent private development or capital public

projects. Therefore, the Applicant has demonstrated that there are adequate public facilities for the Project as proposed.

PARKING

The Applicant proposes 116 parking spaces to accommodate the day-to-day operations of the school. The Project also proposes 40 short-term bicycle parking spaces via inverted U-racks to be distributed amongst the main entrances.

The Project proposes a designated loading and trash area that will be accessed by the parking lot, to limit unnecessary curb cuts along Beacon Road. As conditioned, the proposed changes to the Site demonstrate safe, adequate, and efficient site circulation and access.

SECTION 5: FOREST CONSERVATION ANALYSIS AND FINDINGS

All Forest Conservation Law, Chapter 22A requirements are satisfied.

This Proposal is subject to the requirements of Chapter 22A - Montgomery County Forest Conservation Law ("FCL"). Section 22A-11(a)(1) & (2) of the County Forest Conservation Law establish that Forest Conservation Plans must be submitted and reviewed concurrently with a development application. The Planning Director is responsible for coordinating the review of the Forest Conservation Plan with other regulatory agencies to ensure consistency with the objectives of Chapter 22A. This collaboration guarantees that the goals of the Forest Conservation Plan align with other development requirements, thereby identifying conservation areas and minimizing tree loss.

Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD") No. 420240240 for this Property was approved on November 2, 2023. The NRI/FSD identifies the environmental features and forest resources on the Property. The Property is located within the Northwest Branch watershed, classified as a Use Class IV by the State of Maryland. The Subject Property contains 0.34 acres of forest located adjacent to The Northwest Branch Stream Valley Park. There are no stream buffers, wetlands, or 100-year floodplains on-site. The soils on the Property are classified as urban land and are not considered highly erodible or sensitive. There are no known rare, threatened, or endangered species on the Property. The submitted plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

Final Forest Conservation Plan ("FFCP") No. F20240370 was submitted for concurrent review with this Mandatory Referral application. The Subject Property is classified as an Institutional Development Area ("IDA") as defined in Section 22A-3 and specified in the Trees Technical Manual.

There are 0.34 acres of high priority forest located on-site, which are an extension of the forest located on the adjacent Northwest Branch Stream Valley Park, Unit 3. Forest Conservation Law establishes that the primary objective of a Forest Conservation Plan is to retain existing forests and trees and to minimize reforestation wherever possible, as stated in Section 22A-12(b)(1). Additionally, Section 22A-12(a)(1)(B) requires the Forest Conservation Plan must protect and retain certain vegetation and specific areas in an undisturbed condition, unless reasonable efforts have been made to protect the areas and vegetation listed in the plan and the development plan cannot be reasonably altered. The Applicant proposes to remove 0.16 acres of forest, retain 0.18 acres of forest, and plant 0.05 acres of forest. All forest retained and planted onsite will be protected by a Category I Forest Conservation Easement, measuring at least 10,400 sf.



Figure 12: Area of high-priority forest

The Property has a planting requirement that may be met by purchasing forest bank mitigation credits in the amount of 1.32 acres if the bank is within the same Watershed or Priority Area or 1.40 acres if the bank is outside of the Watershed or Priority Area, as calculated in the Forest Conservation Worksheet. If no offsite forest banks are available, then the applicant must pay a fee-in-lieu to meet the 1.40-acre requirement.

FOREST CONSERVATION VARIANCE

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-21 ("Variance"). Otherwise, such resources as defined under Section 22A-12(b)(3) must be left in an undisturbed condition. There are four Protected Trees to be impacted by the Project, with one (1) proposed for removal and three (3) proposed to be impacted but retained as shown in Table 6 and Figure 13 below.



Figure 13: Impacted Protected Trees

Table 6: Impacts to Protected Trees

| Tree ID | Common Name | DBH | % Impact | Status |
|---------|-------------|-----|----------|--------|
| 1 | Red Oak | 30 | 100% | Remove |
| 6 | Red Oak | 35 | 13% | Save |
| 10 | Red Oak | 41 | 10% | Save |
| 20 | Black Oak | 33 | 41% | Save |

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the necessary layout of the proposed development on the Property which is dictated by the existing site conditions, , and Montgomery County agency requirements. Additionally, the Critical Root Zones (CRZ) of subject trees occur within the center of the building envelope and along portions of the site boundaries. Therefore, replacement of the school building on the site would require impacts to subject trees. Staff has reviewed this Application and finds that there would be an unwarranted hardship if a variance were not considered.

Variance Findings

The following determinations are based on the required findings for granting of the requested variance:

1. Will not confer on the applicant a special privilege that would be denied to other applicants.

Granting the variance will not confer a special privilege on the Applicant as the removal and disturbance to the specified trees are due to the development of the Property, location of the trees, site constraints, and necessary site design requirements. The Property contains large trees located within or in close proximity to the developable area of the site. Granting a variance to allow development of the site is not unique to this Applicant. Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

2. Is not based on conditions or circumstances which are the result of the actions by the applicant.

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions and constraints, and necessary design requirements of this Application.

3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.

The requested variance is based upon existing and proposed conditions and use of the Subject Site and not those of neighboring properties.

4. Will not violate State water quality standards or cause measurable degradation in water quality.

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Tree being removed is not located within a stream buffer, wetland, or Special Protection Area. The Application proposes mitigation for the removal by

planting new trees on-site. These trees will ultimately replace water quality functions that may be lost by the removed tree. Therefore, Staff concurs that the Application will not violate State water quality standards or cause measurable degradation in water quality.

Furthermore, in their letter dated March 5, 2024, DPS Water Resources Section determined the stormwater concept plan for the Proposal to be acceptable.

Mitigation for Trees Subject to the Variance Provisions

There is one Protected Tree proposed for removal in this variance request, resulting in a total of 30 inches of DBH being removed. The Applicant proposes mitigation at a rate that approximates the form and function of the tree removed. The tree will be replaced at a ratio of approximately 1-inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. The removal necessitates mitigation in the form of tree plantings, totaling 8 caliper inches, to be installed on the property. However, the Applicant is proposing to exceed the mitigation requirement by planting six trees, each with a caliper of 3 inches. These trees will be overstory trees native to the Piedmont Region of Maryland and will be planted on the property, outside of any rights-of-way and utility easements. The locations of these plantings must be shown on the certified Final Forest Conservation Plan.

Recommendation on the Variance

As a result of the above findings, Staff recommends that the Board approve, with conditions, the Applicant's request for a variance from the Forest Conservation Law to remove one protected tree and to impact, but retain, three other protected trees associated with the site (affecting a total of 4 protected trees).

SECTION 6: PARKS DEPARTMENT ANALYSIS

The Joann Leleck Elementary School abuts Broadacres Local Park and Northwest Branch Stream Valley Unit (SVU) 3; no impacts to Northwest Branch SVU 3 will occur as a result of the proposed school redevelopment. The Proposal impacts Broadacres Local Park. The northeastern portion of the school's parking lot exists on Broadacres Local Park. School parking and stormwater management facilities will continue to be located in the same general space on Broadacres Local Park with the proposed school redevelopment proposal.

Broadacres Local Park is approximately 10.8 acres and features a variety of recreational amenities, including a hard surface loop trail, playground, two softball fields, one soccer field, and a half-court basketball court. The Park is well used by the local community for programmed activities and more so for ad-hoc recreation. There are a limited number of athletic fields in this highly populated corner of East Silver Spring, and the fields at Broadacres Local Park are heavily used by the community and surrounding schools. As a point of reference, in 2022 and 2023, the two softball fields at Broadacres had a combined permitted usage of 1,207.5 hours; the soccer field had a permitted usage of 628 hours.

Actual usage of these fields is significantly higher as they are popular play spaces for community pick-up games of various sports and free-play activities. The Community Equity Index (CEI), a composite measure of equity-related indicators (such as income, economic insecurity, housing stability and wealth building, earning potential, and other barriers to inclusivity) shows the area proximate to Broadacres Local Park as being “highly disproportionate – disadvantaged”, which creates a high imperative for the Park and its amenities to remain open and available to the community throughout all phases of the school redevelopment project.

Parkland Impacts

Broadacres Local Park will remain open to the public throughout project demolition and construction. This includes access to the athletic fields, hard surface trail, and playground. However, there will be no parking access to Broadacres Local Park the length of the school redevelopment project, as the shared parking lot currently used for park access will be demolished and rebuilt as part of this project.

Improvements to access at Broadacres Local Park will be made as part of the school redevelopment. The newly constructed parking lot will include five parking spaces designated for users of Broadacres Local Park; one of the spaces will be ADA-accessible. Having designated parking spaces will increase accessibility and safe access into the Park. Additionally, maintenance access will be improved between the School parking lot and paved pathway in the Park. A collapsible bollard will be installed at the maintenance access point to ensure only Parks vehicles can utilize it. There are no anticipated tree impacts or removals on parkland as part of this project. MCPS will be required to obtain a Park Construction Permit from Montgomery Parks prior to commencement of any construction activities on parkland.

SECTION 7 - COMMUNITY OUTREACH

After Staff accepted the Mandatory Referral for review, Montgomery Planning notified local civic and homeowners’ associations and other interested parties of this proposal.

As of the date of this report, staff received an inquiry regarding aspects of the Proposal from a representative of St. Camillus Parish, an abutter of the Joann Leleck Elementary School property. In response, Staff exchanged messages and met with the representative of St. Camillus on Beacon Road, viewed areas of concern, and responded to questions about aspects of the Proposal and how they may relate to traffic and parking, stormwater management, and overall compatibility of the new building with the existing neighborhood. Separate from the scope of the Mandatory Referral proposal, an apparent drainage challenge from Broadacres Local Park to the St. Camillus property was also discussed, with St. Camillus put in contact with the Parks Department to further investigate that specific challenge.

St. Camillus hosted a community meeting regarding the Joann Leleck Elementary School project on March 6, 2024. A representative from MCPS was able to attend the meeting and responded to questions regarding parking and access proximate to the school site during construction, with MCPS

noting that quarterly community meetings would be planned with the contractor so that access and parking needs could be regularly communicated and coordinated.

SECTION 8 - CONCLUSION

Staff recommends approval of Mandatory Referral 2024007 for the redevelopment of Joann Leleck Elementary School with recommendations and the transmittal of comments to Montgomery County Public Schools.

Staff recommends approval of Final Forest Conservation Plan F20240370, with conditions. Additionally, staff recommends that the Board approve the variance for the removal of Tree 1 as requested by the Applicant, and the removal with intent to save for Tree 20.

SECTION 9 - ATTACHMENTS

Attachment A: Mandatory Referral Plan

Attachment B: Statement of Justification

Attachment C: Transportation Impact Statement

Attachment D: Parks Department Memo

Attachment E: MCDOT letter

Attachment F: SHA letter

Attachment G: MC DPS ROW letter

Attachment H: DPS Stormwater approval

Attachment I: Final Forest Conservation Plan

Attachment J: Variance Request Letter